



INTERIOR BOARD OF INDIAN APPEALS

Leona Williams v. Superintendent, Central California Agency, Bureau of Indian Affairs
and

Leona Williams v. Director, California Area Office, Indian Health Service

39 IBIA 240 (02/23/2004)

Related Board cases:

39 IBIA 234

39 IBIA 239



United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS
INTERIOR BOARD OF INDIAN APPEALS
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SUITE 300
ARLINGTON, VA 22203

LEONA WILLIAMS,
Appellant

v.

SUPERINTENDENT, CENTRAL
CALIFORNIA AGENCY, BUREAU
OF INDIAN AFFAIRS,
Appellee

and

LEONA WILLIAMS,
Appellant

v.

DIRECTOR, CALIFORNIA AREA OFFICE,
INDIAN HEALTH SERVICE,
Appellee

: Order Dismissing Appeals

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: Docket Nos. IBIA 03-75-A

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IBIA 03-91-A

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: February 23, 2004

In separate appeals, Appellant Leona Williams sought review of a March 19, 2003, decision issued by the Superintendent, Central California Agency, Bureau of Indian Affairs (Docket No. IBIA 03-75-A), and of a February 28, 2003, decision issued by the Director, California Area Office, Indian Health Service (Docket No. IBIA 03-91-A). Both decisions concerned contracts under the Indian Self-Determination and Education Assistance Act (ISDA) with the Pinoleville Band of Pomo Indians of California (Tribe). Each decision was essentially based on the grounds that there was no recognized Tribal government with which the Federal agency involved could contract. For the reason discussed below, the Board of Indian Appeals (Board) dismisses these appeals as moot.

The Board retained these cases on its docket under 25 C.F.R. § 900.160(a)(2), because it was unable to determine whether Appellant had standing to bring the appeals. Appellant was granted several extensions of time to file a statement on her standing. On June 21, 2003, while

these appeals were pending before the Board, a Special Election was held for the Tribe's Council. The Pacific Regional Director, Bureau of Indian Affairs, recognized the results of the election on August 21, 2003. That decision was appealed to the Board in Jackson v. Pacific Regional Director, Docket No. IBIA 03-141-A. In response to the Jackson appeal, on October 8, 2003, the Board placed the Regional Director's August 21, 2003, decision into immediate effect. It appears that Federal agencies relied on the Board's order and thereafter resumed working with the Tribe on a government-to-government basis.

The Board has today decided Jackson. See 39 IBIA 234. It has also dismissed as moot a challenge to an earlier decision issued by the Regional Director in regard to the Tribe's leadership. Williams v. Pacific Regional Director, 39 IBIA 239. To the extent that there were any remaining concerns about ISDA contracting, the issuance of these two decisions means that the Tribe has a recognized Tribal government with which the Federal government may contract.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 C.F.R. § 4.1, these appeals are dismissed as moot.

// original signed
Kathryn A. Lynn
Administrative Judge

// original signed
Kathleen R. Supernaw
Acting Administrative Judge